THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 8th May 1952.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. Chairman (THE HON. DR P. V. CHERIAN) in the Chair.

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

I.—ANNOUNCEMENT BY THE CHAIRMAN.

MR. CHAIRMAN :—" I have great pleasure in reporting to the House that on the evening of the 6th May 1952 His Excellency the Governor was pleased to make a speech[a] to both the Houses of the Legislature, copies of which have already been circulated to Members.

" The debate on the Address will take place on Saturday, the 10th May 1952, on a motion of thanks to be moved by a Member of the Ministerialist Party, notice of which has been circulated to hon. Members.

" I have also to announce that under rule 5 (2) of the Council Rules, I have fixed 12 noon on the 9th instant as the time before which notice of amendments to the said motion may be given to the Secretary."

II.—MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

MR. CHAIRMAN :—" I have to announce to the House that I have received the following message, dated 30th April 1952, from His Excellency the Governor :—

' In pursuance of Article 207, clause (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Requisitioned Land (Continuance of Powers) Bill, 1952.' "

III.—CHAIRMAN'S RULING ON THE ADJOURNMENT MOTION *RE* ISSUE OF AN ORDER UNDER SECTION 144, CR.P.C. IN MADRAS CITY WITH SPECIAL REFERENCE TO LEGISLATURE PARTIES AND MEMBERS OF THE HOUSE.

* MR. CHAIRMAN :—" I shall now give my ruling on the motion for adjournment of business moved by Sri S. B. Adityan the other day. Hon. Members are aware that Sri S. B. Adityan gave notice of an adjournment motion on the 6th instant and I promised to give my ruling to-day. Before a motion of this kind is admitted, I should satisfy myself whether it conforms to the rules laid down for the admission of such motions. The matter raised by the motion must be definite, urgent and of public importance and must involve more than ordinary administration of law (vide May's Parliamentary Practice and Procedure, page 352). The subject-matter raised by Mr. Adityan relates to the orders issued by the Government under section 144, Criminal

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[a] **Printed as Appendix on pages 24–26 infra.**

Procedure Code. The Government will have to issue many orders from day to day for the maintenance of law and order, and the action taken by the Government in this case is done in the ordinary administration of law. Hence I rule the adjournment motion out of order."

IV.—COMPLAINT *RE* WRONGFUL RESTRAINT CAUSED TO AN M.L.C.

MR. CHAIRMAN :—"I have also received notice of another adjournment motion given by Mr. Adityan."

* SRI S. B. ADITYAN :—"Sir, before you deal with the adjournment motion, of which I have given notice, I have to make a complaint. Any matter dealing with privilege does not require any notice to be given beforehand. That is the rule. Now the complaint I have to make is about a matter relating to the privilege of the Members of this House. Mr. S. Ramakrishniah, who has been duly elected to this House from the Teachers' Constituency, was proceeding to attend the joint session . . ."

MR. CHAIRMAN :—"Is the hon. Member talking on the motion given notice of by him?"

* SRI S. B. ADITYAN :—"No, Sir. I am making a complaint to the Chairman. I am making an oral representation now. A substantive motion of privilege will be duly moved later on. The complaint now is that Mr. Ramakrishniah, a duly elected Member of this House, was proceeding to the Legislative Assembly Chamber on the 6th instant at about 5 p.m. He was stopped by the police at the gates of the Government Estate, Mount Road, and was informed that he could not proceed to the place where His Excellency the Governor was to address at 5 p.m. Of course, this Member was taken aback when he was so stopped. Naturally he asked the officer in charge why he was being obstructed. He was told that he must produce a pass. Mr. Ramakrishniah was all the more surprised on hearing this; because no Member of the Legislature had ever been told that he must produce a pass to enable him to get into the Assembly Chamber. Mr. Ramakrishniah told him that he was a Member of the Legislative Council. Immediately he replied, 'How do I know you are a Member?' Evidently the police man thought that Member of the Legislature would be men of big body and weight (laughter) besides being men with weight of knowledge. In this way he was detained for ten minutes. Subsequently he was allowed to proceed. But he could not attend the joint session of the Legislature at five o'clock. He was late by five minutes. On the whole he was detained for ten minutes. Sir, this is a grave breach of privilege of the Members of this House. I shall duly give notice of my motion on this subject. I mentioned this matter now, for, as per rules, the thing has to be mentioned at the very first opportunity and a substantive motion should be made thereafter in due course, in accordance with proper procedure."